

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DECISION AND ORDER
19-CR-186-A

RENO SAYLES,
KEVIN BROWN, and
MARLON WORTHY,

Defendants.

The defendants, Reno Sayles, Kevin Brown, and Marlon Worthy are charged in an eight-count Superseding Indictment with various firearms and drug-trafficking offenses. Dkt. No. 63. The case was referred to Magistrate Judge Michael J. Roemer pursuant to 28 U.S.C. § 636(b)(1) for the conduct of pretrial proceedings. It is before the Court upon the defendants' objections a May 6, 2021 Report and Recommendation of the Magistrate Judge that recommends denying the motions to suppress various items of evidence seized and oral statements made on August 22, 2019. Dkt. Nos. 207.

Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Crim. P. 59(b)(3), the Court reviews *de novo* the portions of a report and recommendation to which objections are raised. The Court heard oral argument on July 15, 2021. Supplemental filings closed and the matters were deemed submitted on July 27, 2021. Upon *de novo* review of the objections of defendant Sayles, Brown, and Worthy to the Magistrate Judge's May 6, 2021 Report and Recommendation, Dkt. No. 207, it is hereby

ORDERED that the Court accepts the findings and conclusions of the Report and Recommendation, Dkt. No. 207, without modification and the motions of defendants to

suppress items seized on August 22, 2019, Dkt. Nos. 28, 36, 62, 65, 72, 80, 87, and 104 are denied for the reasons stated by the Magistrate Judge. It is further

ORDERED that counsel for the parties shall appear to set a date for trial on July 29, 2021, at 1:00 p.m. Counsel shall confer about their availability for trial before the appearance and be prepared to schedule a date for jury selection and trial when they appear.

IT IS SO ORDERED.

s/Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: July 28, 2021